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1910

Michigan. Laws, statutes etc.

Live stock sanitary laws.



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1909

STATE OF MICHIGAN

LIVE STOCK

SANITARY LAWS

COMPILED UNDER THE SUPERVISION OF

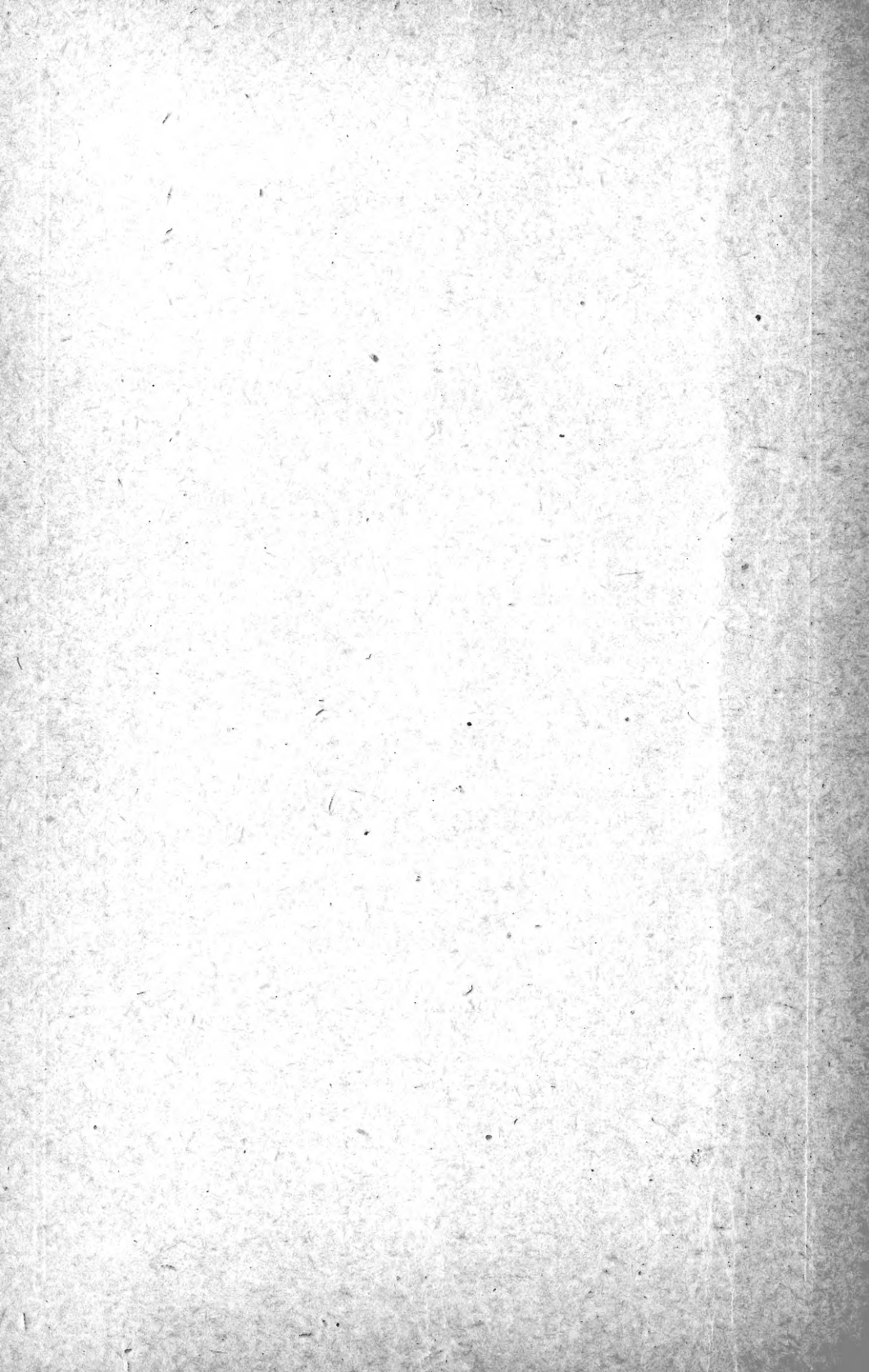
FREDERICK C. MARTINDALE

SECRETARY OF STATE

BY AUTHORITY

LANSING, MICHIGAN
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS
1910

10-33439



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LIVE STOCK SANITARY COMMISSION.

COMFORT A. TYLER.	Coldwater.
HENRY H. HINDS.	Stanton.
T. F. MARSTON.	Bay City.

STATE VETERINARIAN.

WILLIAM M. MORRIS,	Cass City.
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NOTE.—The numbers in parentheses (), are compiler's sections and are consecutive throughout the book. The section mark § refers to the section of the compiled laws of 1897.



LIVE STOCK SANITARY COMMISSION.

An Act to provide for the appointment of a state live stock sanitary commission and a state veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the state.

[Act 182, P. A. 1885.]

The People of the State of Michigan enact:

(1) § 5627. SECTION 1. That a commission is hereby established which shall be known under the name and style of "the state live stock sanitary commission." The commission shall consist of three commissioners who are practical agriculturists and engaged in the live stock industries of the state, who shall be appointed by the governor with the advice and consent of the senate. One shall be appointed for the term of six years, one for the term of four years, and one for the term of two years, whose term of office shall commence on the second Tuesday of July of the year in which they are appointed and shall continue until their successors are appointed and qualified. And at each succeeding biennial session of the legislature there shall be appointed in like manner one commissioner who shall hold his office six years or until his successor is appointed and qualified. The governor shall also appoint with the advice and consent of the senate a competent and skilled veterinary surgeon for the state who, at the time of such appointment shall be a graduate in good standing of a recognized college of veterinary surgery and who shall hold his office two years from the second Tuesday of July of the year he is appointed and until his successor is appointed and qualified. The governor shall also appoint every two years thereafter a competent and skilled veterinarian having the qualifications above mentioned, whose term of office shall be for two years or until his successor is appointed and qualified.

The state live stock sanitary commission.

Appointment of.

Term of office.

When appointed.

Veterinary surgeon.

Term of office.

(2) § 5628. SEC. 2. Said commissioners and veterinary surgeon before they enter upon the duties of their office shall each take and subscribe the constitutional oath of office and file the same with the secretary of state.

Oath of office.

(3) § 5629. SEC. 3. Each commissioner shall receive the sum of five dollars per day and necessary expenses for the time actually spent in the discharge of his duties; and the

Per diem and expenses.

veterinary surgeon shall receive the sum of five dollars per day and necessary expenses for the time when employed.

Am. 1909, Act 172.

Duty of the
commission.

(4) § 5630. SEC. 4. It shall be the duty of the commission to protect the health of the domestic animals of the state from all contagious or infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain and enforce such quarantine, sanitary and other regulations as it may deem necessary.

Quarantine
regulations,
etc.

The commission is the sole tribunal to determine whether the animals are diseased and to ascertain their value, and is to be governed by the value at the date of appraisal. The only appellate jurisdiction provided for by the statute is the governor, whose approval of the action of the commission is necessary.—*Shipman v. Sanitary Commission*, 115/488.

Duty of per-
sons to report
disease to
health officer.

(5) § 5631. SEC. 5. It shall be the duty of any person who discovers, suspects, or has reason to believe that any domestic animal belonging to him or in his charge, or that may come under his observation, belonging to other parties, is affected with any disease, whether it be a contagious or infectious disease, to immediately report such fact, belief, or suspicion to the live stock sanitary commission, or a member thereof, or to the local board of health or some member thereof.

Duty of local
board of
health to in-
vestigate
cases reported.

(6) § 5632. SEC. 6. It is hereby made the duty of all local boards of health, to whom cases of contagious or infectious diseases are reported, to immediately investigate the same, either in person by some member or members of the board, or by the employment of a competent and skilled veterinarian; and should such investigation show a reasonable probability that a domestic animal is affected with a contagious or infectious disease of a malignant character, the local board of health shall immediately establish such temporary quarantine as may be necessary to prevent the spread of the disease, and report all action taken to the commission or to some member thereof; and the acts of local boards of health establishing temporary quarantine shall have the same force and effect as though established by the commission itself, until such time as the commission may take charge of the case or cases, and relieve the local board of health. All expenses incurred by local boards of health in carrying out the provisions of this act shall be paid in like manner as are other expenses incurred by said boards in the discharge of other official duties.

Commission
to quarantine.

Expenses,
how paid.

Commission
to examine
and report.

(7) § 5633. SEC. 7. The commission or any member thereof, to whom the existence of any infectious or contagious disease of domestic animals is reported, shall forthwith proceed to the place where such domestic animal or animals are and examine the same, and if in his or their opinion any infectious or contagious disease does exist he or they are authorized to call upon the state veterinarian or other com-

petent and skilled veterinarians to proceed to the place where said contagious or infectious disease is said to exist and examine said animal or animals, and report his or their finding to the said commission, which then shall prescribe such rules and regulations as in its judgment the exigencies of the case may require for the effectual suppression and eradication of the disease, and for that purpose the said commission may list and describe the domestic animals affected with such disease and those which have been exposed thereto and included within the infected district or premises so defined and quarantined, with such reasonable certainty as would lead to their identification, and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to enter or leave the district, premises or grounds so quarantined, except by the authority of the commission. The said commission shall also from time to time give and enforce such directions, and prescribe such rules and regulations as to separating, mode of handling, treating, feeding and caring for such diseased and exposed animals as it shall deem necessary to prevent the two classes of animals from coming in contact with each other, and perfectly insulate them from all other domestic animals which have not been exposed thereto and which are susceptible of becoming infected with the disease, and the said commission and veterinarian are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act. When in the opinion of the commission it shall be necessary to prevent the further spread of any contagious or infectious disease among the live stock of the state, to destroy animals affected with or which have been exposed to any such disease, it shall determine what animals shall be killed, and appraise the same, as hereinafter provided, and cause the same to be killed and the carcasses disposed of as in its judgment will best protect the health of domestic animals of that locality.

Rules and
regulations.

Quarantine.

May enforce
directions, etc.

Killing and
appraisal.

Am. 1909, Act 172.

(8) § 5634. SEC. 8. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of the state, and given their order as hereinbefore provided, prescribing quarantine and other regulations, it shall notify the governor thereof, who shall issue his proclamation proclaiming the boundary of such quarantine and the orders, rules, and regulations prescribed by the commission, which proclamation may be published by written or printed hand bills posted within the boundaries or on the lines of the district, premises, places, or grounds quarantined: Provided, That if the commission decide that it is not necessary, by reason of the limited extent of the district in

To notify the
governor of
quarantine.

Governor to
issue quaran-
tine proclama-
tion.

which such disease exists, that a proclamation should be issued, then none shall be issued, but such commission shall give such notice as may to it seem best to make the quarantine established by it effective.

Commission
to appraise
animal
ordered killed.

(9) § 5635. SEC. 9. Whenever the commission shall direct the killing of any domestic animal or animals it shall be the duty of the commissioners to appraise the animal or animals condemned, and in fixing the value thereof the commissioners shall be governed by the value of said animal or animals at the date of appraisement.

To issue a
certificate to
owner.

(10) § 5636. SEC. 10. Whenever any live stock shall be appraised and killed by order of the commission, it shall issue to the owner of the stock so killed a certificate showing the number and kind of animals killed, and the amount in their judgment, to which the owner is entitled, and report the same to the governor of the state, which certificate, if approved by the governor, shall be presented to the auditor general, who shall draw his warrant on the state treasurer for the amount therein stated, payable out of any money in the treasury not otherwise appropriated.

To report the
same to the
governor.

Auditor gen-
eral to draw
his warrant
for amount.

Owner to be
paid for ani-
mal killed.

(11) § 5637. SEC. 11. When any animal or animals are killed under the provisions of this act, by order of the commission, the owner thereof shall be paid therefor the appraised value as fixed by the appraisement hereinbefore provided for: Provided, The right of indemnity on account of animals killed by order of the commission under the provisions of this act, shall not extend to the owners of animals which have been brought into the state in a diseased condition, or from a state, country, territory, or district in which the disease with which the animal is affected, or to which it has been exposed, exists. Nor shall any animal be paid for by the state which may be brought into the state in violation of any law or quarantine regulation thereof, or the owner of which shall have violated any of the provisions of this act, or disregarded any rule, regulation, or order of the live stock sanitary commission or any member thereof. Nor shall any animal be paid for by the state which came into the possession of the claimant with the claimant's knowledge that such animal was diseased, or was suspected of being diseased, or of having been exposed to any contagious or infectious disease.

Proviso.

Disposition
of domestic
animal af-
fected with
contagious
disease.

(12) § 5638. SEC. 12. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or, after having received notice that such animal is so affected, who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by or previously exposed to such disease may be exposed to its contagion or infection, or who shall sell, ship, drive, trade, or give away such diseased animal or animals which have been exposed to such contagion or infection, or

who shall move or drive any domestic animal in violation of any direction, rule or regulation, or order establishing and regulating quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, or both such fine and imprisonment in the discretion of the court, for each of such diseased or exposed domestic animals which he shall permit to run at large, or keep, sell, ship, drive, trade or give away in violation of the provisions of this act.

A misdemeanor.
Penalty.

(13) § 5639. SEC. 13. Any person who shall knowingly bring into this state any domestic animal which is affected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than one hundred dollars nor more than five thousand dollars, or be imprisoned in the state prison not to exceed one year, or both such fine and imprisonment in the discretion of the court.

Penalty for bringing diseased animals into the state.

(14) § 5640. SEC. 14. Any person who owns or is in possession of live stock which is affected, or which is suspected or reported to be affected, with any infectious or contagious disease, who shall wilfully prevent or refuse to allow the state veterinarian or commissioner or other authorized officer or officers to examine such stock, or shall hinder or obstruct the state veterinarian or other authorized officer or officers in any examination of, or in an attempt to examine such stock, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days or both such fine and imprisonment in the discretion of the court.

Penalty for refusing to allow the veterinarian to examine stock.

(15) § 5641. SEC. 15. Any person who shall willfully violate, disregard or evade, or attempt to violate, disregard or evade any of the provisions of this act, or who shall willfully violate, disregard or evade any of the rules, regulations, orders or directions of the live stock sanitary commission establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, or both such fine and imprisonment in the discretion of the court.

Penalty for violation of this act.

(16) § 5642. SEC. 16. The commission provided for in this act shall have power to employ at the expense of the state such persons and purchase such supplies and material as may be necessary to carry into full effect all orders by it given.

Authorized to employ persons and purchase supplies, etc.

May call upon the sheriff, etc., to execute orders.	(17) § 5643. SEC. 17. The commissioners shall have power to call upon any sheriff, under-sheriff, deputy sheriff, or constable to execute their orders, and such officers shall
Compensation.	obey the orders of said commissioners, and the officers performing such duties shall receive compensation therefor as is prescribed by law for like services, and shall be paid therefor
May arrest.	in like manner. And any officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this act, and such officer shall
Duty of prosecuting attorney.	immediately notify the prosecuting attorney of such arrest, and he shall prosecute the person so offending according to law.
Governor to issue proclamation prohibiting the importation of live stock, etc.	(18) § 5644. SEC. 18. Whenever the governor of the state shall have good reason to believe that any dangerous, contagious, or infectious disease has become epizootic in certain localities in other states, territories or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall by proclamation prohibit the importation of live stock, of the kind diseased into the state, unless accompanied by a certificate of health given by a duly authorized veterinary
To be examined and quarantined.	surgeon; and all such animals arriving in this state shall be examined immediately by the commission or some member thereof, and if he or they deem necessary he or they shall have said animals inspected by the state veterinary surgeon, and if in his opinion there is any danger from contagion or infection, they shall be placed in close quarantine until such danger of infection or contagion is passed, when they shall be released by order of said commission or some member thereof.
May administer oaths, etc.	(19) § 5645. SEC. 19. For the purposes of this act each member of the live stock sanitary commission is hereby authorized and empowered to administer oaths and affirmations.
Required to co-operate with boards acting under act of congress.	(20) § 5646. SEC. 20. This commission is hereby authorized and required to co-operate with any board or commission acting under any present or future act of congress for the suppression and prevention of contagious or infectious diseases among domestic animals, and the same right of entry, inspection and condemnation of diseased animals upon private premises is granted to the United States board or commission as is granted to the commission granted under this act.
Authority of U. S. board.	(21) § 5647. SEC. 21. The commission shall make biennially a detailed report of its doings to the governor, which report shall be transmitted to the legislature at its regular biennial session.
To report to the governor, etc.	(22) § 5648. SEC. 22. This act shall be construed so as to include sheep and horses.
Sheep and horses included.	

(23) § 5649. SEC. 23. Any railroad company, navigation company, or other corporation, or common carrier, who shall knowingly, or willfully violate, disregard, or evade any of the provisions of this act, or who shall willfully violate, disregard, or evade any of the rules, regulations, orders, or directions of the live stock sanitary commission establishing or governing quarantine, or who shall evade, or attempt to evade any quarantine proclamation of the governor of this state declaring quarantine limits, shall forfeit and pay to the people of the state of Michigan not less than five hundred dollars nor more than five thousand dollars, for each and every offense, and shall be liable for all damages caused to any neat cattle by its or his failure to comply with the requirements of this act.

Relative to violation of act by railroad companies, etc.

(24) SEC. 24. In case of tuberculous cattle, whenever the commission shall direct the killing of such cattle, it shall be the duty of the commission to appraise the animal or animals condemned, the owner or owners thereof to receive fifty per cent of value of animal as though not diseased, such per cent in no case to be reckoned on a sum over fifty dollars: Provided, That the owner or owners of slaughtered animals shall receive no compensation for the same unless the commission shall be satisfied that the premises have been kept in a sanitary condition, nor shall they receive compensation until said sanitary commission is satisfied that the infected premises have been disinfected in such manner as to prevent the further spread of the disease. When the state live stock sanitary commission or a member thereof shall deem it expedient to have cattle that have reacted to the tuberculin test, slaughtered under federal inspection, it shall have the power to order such slaughter. If the carcass of any such animal shall pass the federal inspection without being condemned, the owner of the animal shall receive all proceeds secured from the sale of such carcass after payment for shipping, handling and slaughtering charges have been deducted, in lieu of the above mentioned fifty per cent appraisal value. If the carcass of any such animal shall be condemned by the federal inspectors, the owner of the animal shall receive the proceeds of the sale of the hide, tallow, offal or any other proceeds from the sale of the carcass after deducting the cost of handling, shipping and slaughtering, in addition to the above mentioned fifty per cent appraisal valuation.

Tuberculous cattle, value owner may receive.

Proviso, conditions.

Slaughter under federal inspection.

If carcass condemned.

Added 1909, Act 172.

(25) SEC. 25. The importation of cattle into the state for breeding or dairy purposes is hereby prohibited, excepting when such cattle are accompanied by a certificate of inspection made by a duly qualified veterinary surgeon, who is a graduate of a recognized veterinary college in the United

Certificate to accompany imported cattle.

What to show. States, Canada or Europe. Such certificate shall show that at the time of said inspection and within sixty days prior to shipment said cattle had been subjected to tuberculin test and were free from tuberculosis. Duly certified certificates of inspection, giving in full the temperature records of the tuberculin test, must be prepared in triplicate, one of which is furnished the shipper, one furnished the transportation company hauling the cattle, and one forwarded immediately to the president of the state live stock sanitary commission.

Certificate of inspection, to be prepared in triplicate.

Expense. The expense of such inspection and certificate shall be paid by the owner of the cattle.

Added Id.

Provisions, how applied. (26) SEC. 26. The provisions of this act shall not apply to persons transferring cattle through the state on cars to points beyond the state, or to persons living near the state line and owning land in adjoining states, and who may drive said cattle to and from said land for pasturage.

Added Id.

YARDING AND FEEDING TEXAS CATTLE.

An Act to regulate and provide for the carrying, yarding and feeding of so called Texas cattle while in transit into or across this state between the first day of April and the first day of November of each year.

[Act 198, P. A. 1885.]

The People of the State of Michigan enact:

Transportation, yarding, etc., of certain cattle, unlawful. (27) § 5650. SECTION 1. That it shall not be lawful to transport any neat cattle into or across this state, yard or feed the same, that have been reared or kept south of the thirty-sixth parallel of north latitude, and that have not subsequently been kept continuously at least one winter north of said parallel, and which may be brought within the limits of this state between the first day of April and the first day of November, following, except in the manner hereafter provided.

Duty of railroad transporting certain cattle. (28) § 5651. SEC. 2. It shall be the duty of all railroad companies doing business in this state to receive and transport while in this state, the class of cattle mentioned in section one, only in cars that are branded or lettered legibly and distinctly and in plain view, the words "for the transportation of Texas cattle only;" and they shall not permit or allow any other class of cattle to enter those cars between the first day of April and the first day of November following: Provided, That cattle coming from other states for transportation through this state when it is impossible to

Proviso.

ascertain where they came from may be shipped in such cars, but shall be treated in all respects as coming from the country south of the thirty-sixth parallel of north latitude.

(29) § 5652. SEC. 3. It shall be the duty of any railroad company, stock yard company, or private individual owning and operating any stock yard in this state, to receive and feed the class of cattle mentioned in section one only in yards separate and apart from yards used for the feeding or yarding of other cattle; and these yards shall be in the immediate vicinity and contiguous to a railroad side track so that these cattle may not pass over any open common that might be crossed by other cattle; and said yards shall have a sign posted at each entrance thereto, on which shall be plainly lettered "for the yarding of Texas cattle only," and no other cattle shall be admitted to these yards between the first day of April and the first day of November of each year.

Care of certain cattle at stock yards.
Location of such yards.

Entrance sign.

(30) § 5653. SEC. 4. Any railroad company, stock yard company, or private individual owning any stock yard in this state, who shall violate any of the provisions of sections one and two of this act, shall forfeit and pay to the people of the state of Michigan not less than fifty dollars nor more than five hundred dollars for each and every such offense, and shall be liable for any and all damages caused to any neat cattle by their failure to comply with the requirements of this act.

Penalty for violation.

Fine.

Liability for damages.

(31) § 5654. SEC. 5. Any person or person [persons] who shall knowingly or willfully place or attempt to place any neat cattle, or others than those mentioned in section one, in any car or yard provided for in section two or three of this act, and branded and lettered as therein provided for between the first day of April and the first day of November following, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars, nor more than one hundred dollars or be imprisoned not less than ten days nor more than sixty days, or both such fine and imprisonment in the discretion of the court.

Certain violation a misdemeanor.

Punishment.

FOOT-ROT AMONG SHEEP.

An Act to prevent the infection of foot-rot among sheep.

[Act 166, P. A. 1879.]

The People of the State of Michigan enact:

(32) § 5655. SECTION 1. That it shall be unlawful for any person or persons to allow to run at large on, or to drive along any highway in this state between the first day of May

Unlawful to allow or drive infected sheep on highway.

and the first day of November of each year, any sheep known to be infected with the disease known as the foot-rot.

Penalty.

(33) § 5656. SEC. 2. Any person or persons violating the provisions of the foregoing section, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall pay a fine not less than twenty-five nor more than one hundred dollars, in the discretion of the court, in addition to the costs of prosecution; and in case the fine imposed, and the costs of prosecution shall not be paid, the defendant shall be confined in the county jail not less than thirty days nor more than sixty days, in the discretion of the court.

DISEASED SHEEP.

An Act to prevent the importation, running at large and sale of diseased sheep.

[Act 185, Laws of 1863.]

The People of the State of Michigan enact:

Penalty for importing, etc., diseased sheep.

(34) § 5657. SECTION 1. That it shall not be lawful for the owner of sheep, or any person having the same in charge, knowingly to import or drive into this state sheep having any contagious disease; and any person so offending shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars, and in default of the payment thereof, by imprisonment in the county jail not more than three months.

Penalty for allowing diseased sheep to run at large.

(35) § 5658. SEC. 2. That any person being the owner of sheep, or having the same in charge, who shall turn out, or suffer any sheep having any contagious disease, knowing the same to be so diseased to run at large upon any common, highway, or uninclosed lands, or who shall sell or dispose of any sheep, knowing the same to be so diseased, without first apprising the purchaser thereof of such disease, shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars nor more than one hundred dollars, and in default of the payment thereof, by imprisonment in the county jail not more than three months.

Damages in civil action.

(36) § 5659. SEC. 3. Nothing in this act shall be so construed as to prevent the recovery of damages, in civil actions, against any person or persons who shall import or drive such diseased sheep into this state, or who shall allow such diseased sheep to run at large, or who shall sell such diseased sheep.

BRANDING LIVE STOCK.

An Act to provide for marking and branding live stock.

[Act 122, P. A. 1883.]

The People of the State of Michigan enact:

(37) § 5660. SECTION 1. That every person who has cat- Owners may
tle, horses, hogs, sheep, goats, or any other domestic animals, adopt brand,
may adopt an ear mark or brand, which ear mark or brand etc.
may be recorded in the office of the county clerk of the To be re-
county where such cattle, horses, hogs, sheep, goats, or other corded.
domestic animals shall be: Provided, That the mark or Proviso.
brand so adopted and recorded shall be different from all
other marks or brands, adopted and recorded in such county.

(38) § 5661. SEC. 2. It shall be the duty of the county Duties of
clerks of the several counties of this state, to keep a book in county clerks
which they shall record the mark or brand adopted by each in recording.
person who may apply to them for that purpose, for which
they shall be entitled to demand and receive twenty-five Fee for.
cents.

(39) § 5662. SEC. 3. If any person shall mark or brand, Penalty for
or alter or deface the mark or brand of any horse, mare, colt, changing, etc.,
jack, jenny, jennet, mule, or any one or more head of neat brand.
cattle or sheep, goat, hog, shoat, pig, or other domestic ani-
mal, the property of another, with intent thereby to steal the
same, or to prevent identification thereof by the true owner,
he shall be deemed guilty of felony, and shall be punished
by imprisonment at hard labor in the state prison, not to ex-
ceed two years, or by a fine of not more than two hundred
dollars, or both, in the discretion of the court.

PRACTICE OF VETERINARY MEDICINE AND SURGERY.

An Act to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the state of Michigan; providing for a state veterinary board and prescribing its duties; regulating existing practitioners; governing under graduates and reciprocity with other states and provinces; pre- scribing penalties for its violation and repealing all inconsistent acts.

[Act 244, P. A. 1907.]

The People of the State of Michigan enact:

(40) SECTION 1. It shall be unlawful for any person to Unlawful to
engage or attempt to engage in the practice of veterinary practice
medicine or surgery in any of its various branches, unless unless
he shall comply with the provisions of this act and be duly registered.

Proviso. registered by the state veterinary board in the manner hereinafter provided: Provided, That the provisions of this act shall not be governing or apply to dehorning cattle and ordinary animal castration.

Am. 1909, Act 143.

State veterinary board, qualifications of members of.

(41) SEC. 2. There shall be a state veterinary board, consisting of three members, who shall be residents of this state, and citizens of the United States, and regularly registered veterinary graduates, no two of whom shall be graduates of the same college, and who shall have been in the practice of their profession at least three years prior to their appointment. The members of the state veterinary board, appointed under authority of act one hundred ninety-one of the public acts of eighteen hundred ninety-nine shall constitute the state veterinary board. The provisions of this act shall in nowise interfere with the tenure of office of the members of the state veterinary board heretofore appointed under authority of such act. Accordingly as vacancies shall occur on said board, it shall be the duty of the governor, on or before April first, annually, to appoint a veterinarian, having the qualifications herein prescribed, and who shall hold office for three years or until his successor is appointed and has qualified.

Vacancies, by whom filled, term of office.

Organization of board.

To make annual report, what to contain.

Secretary to be provided with list of certain colleges.

Permit to practice, by whom issued.

Eligibility of certain persons.

(42) SEC. 3. The members of such board shall meet at Lansing on the third Tuesday in August of each year. They shall organize by electing a president, secretary and treasurer. The treasurer shall give bonds in such amount as the said board shall determine. It shall be the duty of the said board to make an annual report to the governor at the close of each fiscal year, which report shall contain a complete statement and record of all of the official acts of said board, together with a statement of all moneys received and the manner of their disbursement. It shall be the duty of the said board, from time to time, during each year, to provide and furnish to its secretary a list of the regular colleges having a curriculum of at least three years and of at least three sessions of six months each, having the authority to confer the degree of doctor of veterinary medicine, doctor of veterinary science, or doctor of comparative medicine or veterinary surgeon. It shall be the duty of the secretary of said board to issue to each applicant, graduates of said colleges, a temporary permit to practice until the next regular meeting of the board, and to keep on file, in the office of the secretary of state, his permanent address.

(43) SEC. 4. Any person who has practiced veterinary medicine or surgery in their various branches in this state for five years prior to the passage of this act shall be eligible to become registered as an existing practitioner, and entitled to receive a certificate of registration from the state board

as such: Provided, That any such person shall, on or before the first day of January, nineteen hundred eight, file with the secretary of state veterinary board an affidavit, showing that he has been continuously so engaged and shall also present letters of recommendation from ten reputable freeholders and stock raisers of this state, who shall have employed him, showing him to be qualified to practice veterinary medicine or surgery as above set forth. All those registered under this clause shall not be entitled to use any college degree or any abbreviation thereof. All veterinarians now registered under authority of act one hundred ninety-one of public acts of eighteen hundred ninety-nine, or entitled to be registered under said act, when registered shall be recognized and known as the regular veterinarians. It shall be unlawful for any person except a regular veterinarian under the provisions of this act, to use any college degree, or their abbreviations in connection with his name, or profession which might lead the public to believe that he has had a college course of veterinary training: Provided, That nothing in this act shall prevent any person from treating his own animal or assisting his neighbor.

Proviso as to filing affidavit, etc.

Not to use college degree.

Who known as regular veterinarians.

Unlawful for certain persons to use college degree.

Proviso as to treating certain animals.

(44) SEC. 5. From and after January first, nineteen hundred eight, it shall be unlawful for any person to practice or attempt to practice veterinary medicine or surgery in any of its various branches, unless he shall be duly registered by the state veterinary board. No person shall be registered by the state veterinary board as a veterinarian or veterinary surgeon, until he shall have furnished satisfactory proof of his identity and that he is the lawful and regular possessor of a diploma from a regular veterinary college or veterinary department of a state institution of learning or college of medicine having a curriculum of at least three sessions of six months each, and requiring personal attendance of its pupils, and that said diploma was issued by such school or college direct to him: Provided, That the provisions of this section shall not be applicable to those persons who are duly registered veterinary surgeons at the time this act takes effect.

Time for practicing limited unless registered.

Registration restricted.

Proviso as to persons registered.

(45) SEC. 6. It shall be unlawful for any person in this state to perform the following named surgical operations upon animals without first administering either local or general anaesthesia: The emasculation of hermaphrodites, the emasculation of mares and female dogs, the operation of fistulous wethers and poll-evil, lithotomy and all forms of neurectomy, the Caesarean operation, the operation for umbilical and scrotal hernia and the operation for wind-broken horses called laryngio crycorectomy.

When unlawful to perform certain operations.

Book for
registering
surgeons
kept.

Fee for
registration.

Fees, how
disposed of.

Certificates of
registration,
to be dis-
played, etc.

Compensation
of board.

Expenses of
board, how
paid.

Students,
when certain,
may practice.

Michigan to
reciprocate
with other
states.

Veterinarians
living in ad-
joining states.

License
granted on
certain
conditions.

(46) SEC. 7. It shall be the duty of the secretary of the state veterinary board to keep a book for the purpose of registering veterinary surgeons of this state. The said secretary shall collect a fee of five dollars for each person registered under the provisions of this act, except that all those persons coming within the provisions of section four shall be registered for, and the secretary shall collect but three dollars. The fees received by the said secretary shall be turned over by him at each session, to the treasurer of said board, who shall immediately, at the close of each session, pay same into the state treasury to be covered into the general fund. It shall be the duty of the state veterinary board to purchase a supply of certificates of registration and to furnish a certificate to each applicant furnishing satisfactory proofs of his identity and qualifications, and upon payment of the fee, in the manner herein provided, which certificate must be conspicuously displayed in his office and shall entitle such applicant to practice veterinary medicine and surgery in all its various branches.

(47) SEC. 8. The members of the state veterinary board shall not be entitled to receive any salary, fee, or compensation for their services as such members, except that the secretary shall receive such compensation as the board shall determine, not to exceed fifty dollars per annum. The expenses of such members actually and necessarily incurred in the performance of official duties shall be paid by the state treasurer upon the warrant of the auditor general out of any money in the general fund not otherwise appropriated.

(48) SEC. 9. Any student having attended a recognized veterinary college for six months may, upon the presentation of a certificate of attendance, bearing the college seal, be allowed to practice in the office of and under the instructions of any registered veterinary surgeon in this state to whom he may apply during one summer vacation, or until October following the date of his certificate of attendance and no longer, nor elsewhere as an under graduate.

(49) SEC. 10. Michigan shall reciprocate with other states and provinces in an interstate recognition and exchange of licenses upon a basis of equality of educational standard and mutual recognition, which standard shall not be lower than required by the provisions of this act.

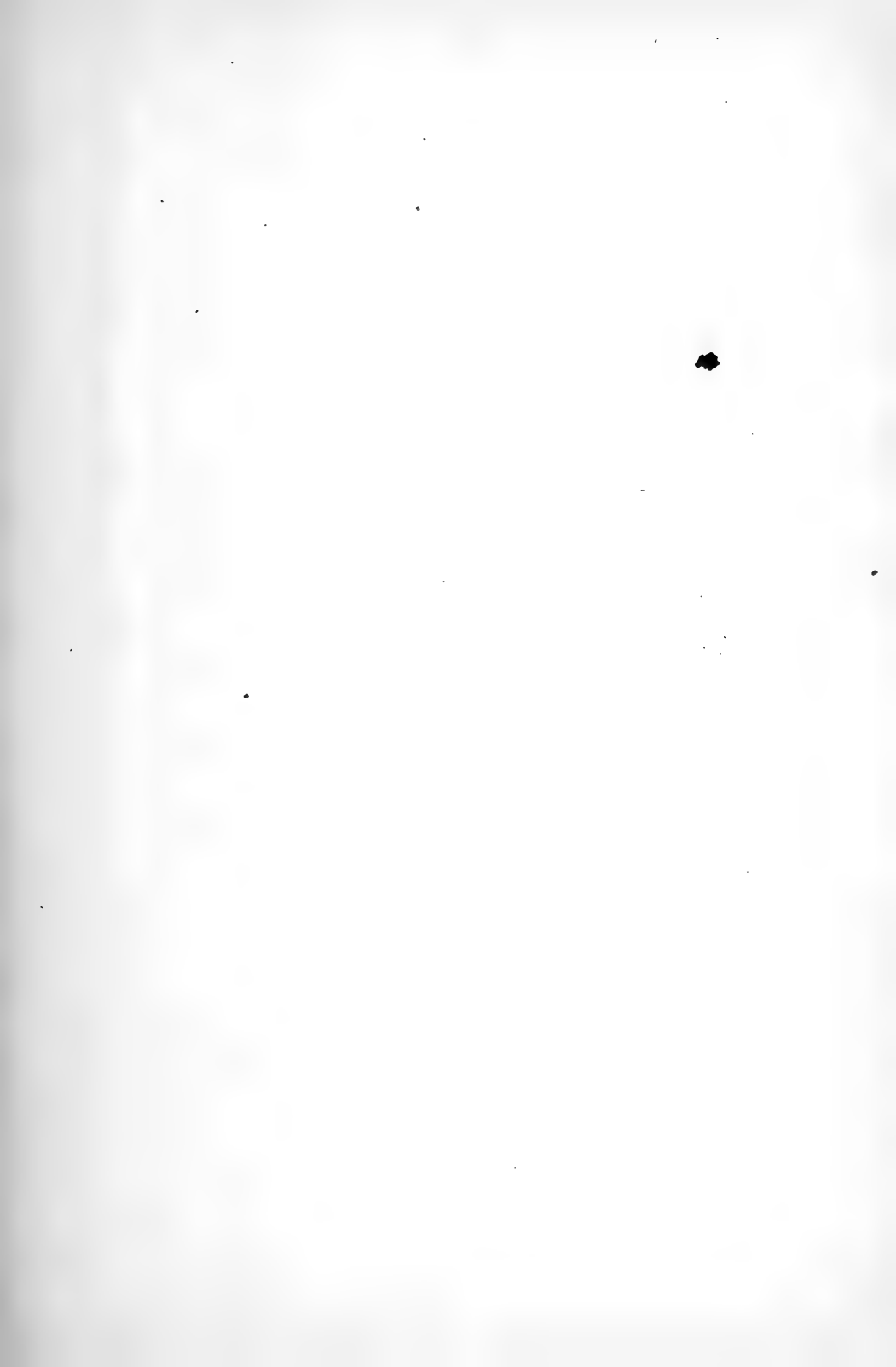
(50) SEC. 11. Veterinarians living near the border line of Michigan, in an adjoining state or province, and wishing to practice in this state, shall, before doing so, apply to and receive from the state veterinary board a certificate of registration. The state veterinary board shall grant such license and issue a certificate upon the payment of the prescribed fees, provided the applicant's educational attainment shall conform to the requirements of the provisions of this act, and the said state or province shall grant a like reciprocity to veterinarians of this state.

(51) SEC. 12. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished for the first offense by a fine of not less than ten nor more than fifty dollars, and for each subsequent offense shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or be confined in the county jail for not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court. Penalty for violations.

(52) SEC. 13. Complaints for a violation of this act shall be made to the prosecuting attorney or humane agent of the county in which the offense is committed and the method of procedure shall be the same as in other criminal cases. Complaints of violations, how made.

Sec. 14 repeals inconsistent or contravening acts.







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